

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

BRANDON LIVAS, RICHARD BUSWELL,	)	CIVIL ACTION NO. 20-cv-00422
DEWAYNE CORBETT, JOHNNY SMITH,	)	
CARLOS LORENZO MARTIN and	)	
GAINES ANDREWS, on behalf of	)	
themselves and those similarly situated	)	
	)	
	)	JUDGE DOUGHTY
VERSUS	)	
	)	
RODNEY MYERS, Warden of Oakdale	)	MAGISTRATE JUDGE KAY
Federal Correctional Institutions; and	)	
MICHAEL CARVAJAL, Federal Bureau	)	
of Prisons Director, in their official	)	
capacities	)	

## DECLARATION OF DR. RICHARD GRIFFIN, M.D.

I, Dr. Richard Griffin, M.D. make the following statements under oath and subject to the penalty of perjury:

1. I am currently the Clinical Director for the Federal Correctional Complex, in Oakdale, Louisiana (FCC Oakdale). I have held this position since February 4, 2019.
2. The Bureau of Prisons (BOP) Health Services Department (BOP-HSD) directs medical, dental, and mental health patient care for all inmates in BOP custody. BOP-HSD leadership personnel have been in regular communication with each BOP facility. BOP-HSD Infection Prevention and Control has been monitoring the current COVID19 pandemic since the onset of reports of this disease. Infection and prevention guidance has been regularly updated for the screening and management of potential exposure among all classes of inmates held in BOP facilities.
3. In my current position, I oversee and monitor all clinical services at FCC Oakdale, including the provision of care to approximately 1862 inmates housed at FCI-Oakdale I, FCI-Oakdale II, and the Satellite Prison Camp. As

such, in addition to managing the medical department at FCC Oakdale, I have been involved in planning and coordinating FCC Oakdale's responses to COVID-19.

4. The medical department at FCC Oakdale comprises a multidisciplinary workforce that consists of BOP-HSD staff, United States Public Health Service (PHS) commissioned officers, federal civil servants, and contract health professionals. The regular medical complement at FCC Oakdale includes: Clinical Director [1], contract physician [1], Advanced Practice Practitioners [6], Chief Pharmacist [1], staff pharmacist [1], registered nurses [6], licensed practical nurse [1], and laboratory technicians [3].
5. When inmates need medical services not available onsite, medical trips are arranged to local medical specialists. When hospitalization is needed, inmates are transported to local hospital emergency rooms where they are evaluated, and admitted to the hospital for further care as needed. I am satisfied each inmate is treated with the same care, diligence and expertise that is provided to each member of our community.
6. As the need has arisen due to the COVID-19 pandemic, the BOP has dispatched additional medical staff to FCC Oakdale. These staff are rotating in on an as needed basis. At this moment we have two additional nurse practitioners, one BOP staff and one from PHS, and four additional registered nurses, two from BOP and two from PHS. Additional teams are scheduled to rotate in next week. The medical complement presently at FCC Oakdale is sufficient to ensure inmates are receiving necessary medical care. As I noted above, inmates whose medical needs exceed our capabilities are sent for outside hospital or specialty care.
7. Pursuant to BOP-HSD guidance, since mid-March 2020, all intakes to FCC Oakdale have been screened for COVID19 by questionnaire and placed in quarantine for 14 days.
8. Since the onset of reports of COVID19, medical staff have been conducting daily monitoring for fever and onset of COVID19 symptoms for all inmates. Additionally, since March 20<sup>th</sup>, 2020, BOP has been conducting similar screening for all staff and anyone else entering the FCC Oakdale grounds. General screening will continue for the foreseeable future. Symptomatic inmates are isolated in single cells, swabbed for COVID19, and monitored each shift for fever and deteriorating symptoms that might require additional medical care or hospitalization. The current criteria for COVID19 testing at FCC Oakdale are based on CDC recommendations. Any inmate with a fever above 100.4 degrees Fahrenheit is tested, as is any inmate without a fever who are displaying, or complaining of, symptoms that lead the health care

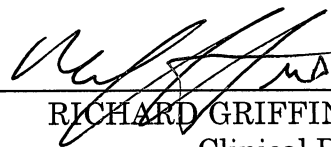
provider to believe a COVID19 infection is possible. COVID19 swabs are sent to a laboratory in the community for testing. Provisions are being made for in-house testing to begin shortly, which will decrease wait time for results

9. Inmates deemed to have potential exposure, but without symptoms, are housed in quarantine units, away from unexposed inmates. Quarantined inmates are also subject to daily monitoring by medical staff. The quarantine floor has inmates celled with other inmates who shared the same potential exposure, avoiding cross-contamination/exposure to others. Quarantine or isolation status is ended only when the inmate has completed the durations recommended by current guidance of BOP-HSD and the CDC. This is in accordance with CDC and Louisiana Department of Health recommendation for prison populations.
10. Exceeding requirements and recommendations, BOP has constructed additional tent housing within FCI Oakdale I where those cleared from quarantine may be separately housed for an additional time to monitor their condition, and ensure their safety.
11. This past weekend, BOP invited officials from the Centers for Disease Control and Prevention (CDC) and the Louisiana Department of Health (LDH) to tour FCC Oakdale. LDH sent their Emergency Response & Preparedness Coordinator and the CDC sent two epidemiologists to visit the FCI Oakdale I facility on April 13th, 2020, where they toured the units where the majority of quarantined and isolated are being housed. The LDH and CDC conducted their survey, applying the current COVID-19 Management Assessment and Response (CMAR) for Detention Facilities tool as applied in other detention facilities in Louisiana. Additionally, the CDC and LDH staff met with Warden F. J. Garrido, Acting Health Services Administrator Jones, two union officials, and me, the Clinical Director. The facility was found to be implementing the CDC guidance components included in the CMAR tool, as logistically feasible.
12. After the survey, four minor recommendations were made: (1) continue modifying the staff plan to further limit staff from working in multiple areas within the complex; (2) encourage staff to not congregate and to maintain social distancing and to wear provided masks, even when not in quarantine/isolation units; (3) encourage social distancing among cohorted quarantined inmates and promote mask use; and (4) increase distance between inmate computers and phones (e.g. spread out computers, only let every other phone be used at a time, limit number of inmates allowed in those spaces), and to provide additional hand hygiene/cleaning materials for cleaning these items between each use, throughout the day. FCC Oakdale staff immediately began the process of implementing these recommendations.

13. I have conducted a review of the medical records of the six individual petitioners in this case via BOP's Bureau Electronic Medical Records System (BEMR).
14. Gaines Andrews (Reg. No. 44677-379) has not exhibited, or reported to medical staff, any symptom consistent with COVID19. He does not meet current criteria for COVID19 testing. He does not have any of the underlying or pre-existing medical conditions that may increase his risk of serious COVID19 infection.
15. Richard Buswell (Reg. No. 15618-035) has not exhibited, or reported to medical staff, any symptom consistent with COVID19. He does not meet current criteria for COVID19 testing.
16. Dewayne Corbett (Reg. No. 21703-171) has not exhibited, or reported to medical staff, any symptom consistent with COVID19. He does not meet current criteria for COVID19 testing.
17. Brandon Livas (Reg. No. 37736-034) has not exhibited, or reported to medical staff, any symptom consistent with COVID19. He does not meet current criteria for COVID19 testing.
18. Carlos Martin (Reg. No. 15029-043) has not exhibited, or reported to medical staff, any symptom consistent with COVID19. He does not meet current criteria for COVID19 testing. He does not have any of the underlying or pre-existing medical conditions that may increase his risk of serious COVID19 infection.
19. Johnny Smith (Reg. No. 33172-034) has not exhibited, or reported to medical staff, any symptom consistent with COVID19. He does not meet current criteria for COVID19 testing

I declare under penalty of perjury that the foregoing is true and correct to the best of knowledge and belief.

Executed on April 15, 2020 at Oakdale, Louisiana



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RICHARD GRIFFIN, M.D.  
Clinical Director